

REMARKS

In the Office Action, claims 1, 3, 5-10 were rejected. Claims 2 and 4 were objected to but were deemed allowable if written in independent form. Claims 11-13 and 15-17 were allowed.

By the present Response, claim 1 is amended and claims 18-20 are added as new claims. No new matter has been added. Upon entry of the amendments, claims 1-13 and 15-20 will remain pending in the present patent application. Reconsideration and allowance of all pending claims are requested.

Rejections Under 35 U.S.C. § 102

Claims 1, 3, 5-8 and 10 were rejected under 35 USC §102 (e) as being anticipated by Fujita et al. (U.S. Pat. 6,169,401). Applicants respectfully traverse the rejection.

A *prima facie* case of anticipation under 35 U.S.C. § 102 requires a showing that each limitation of a claim is found in a single reference, practice or device. *In re Donohue*, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

Claim 1 has been amended to distinguish the claimed subject matter more appropriately. No new matter has been added. Support for the amendment can be found on page 7, lines 10-12 and on page 9, lines 6-8.

Applicants respectfully submit that the Fujita reference does not teach, disclose or suggest each element of the present invention as claimed in independent claim 1, as amended. Specifically it does not teach, disclose or suggest the claim recitation of “said conductors of a selected conductor length and having a conductor width and spacing between conductors”. Those skilled in the art would recognize that the “conductor width” as recited in the amended claim 1 and as adequately described in the detailed description section of the Applicants’ application, is unique when compared to conductor

widths in conventional MRI systems. Fujita reference in particular, does not disclose, teach or suggest the recitation of “conductor width” of amended claim 1. Column 4, lines 57-67 and column 5, lines 1-9 in the Fujita reference merely refer to non-uniform spacing *between* conductors for altering the current densities in the field of view. The Fujita reference is completely devoid of any discussion about the conductor width.

Examiner in the Office Action mailed on October 24, 2003, in the section “Response to Arguments” in point 18, had indicated that the “width has been interpreted as the measurement between conductors of the assembly”. The amended claim 1 clearly distinguishes between the conductor width and spacing between the conductors, and hence any ambiguity with respect to “width” has been appropriately addressed in the amended claim.

Thus the Applicants respectfully submit that the independent amended claim 1 is not anticipated by Fujita under 35 USC §102 (e) and therefore, is allowable. Claims 3, 5-8 and 10 depend directly or indirectly from claim 1 and are similarly allowable.

Rejections Under 35 U.S.C. § 103

Claim 9 was rejected under 35 USC 103 (a) as being unpatentable over Fujita et al. (U.S. Pat. 6,169,401) in view of Eberler et al. (U.S. Pat. 6,323,548).

To establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985).

Applicants respectfully submit, that as explained above, the Fujita reference does not teach, suggest or disclose the claim recitations of amended independent

claim 1. Specifically the Fujita reference does not teach, suggest or disclose the claim recitation of "conductor width". The secondary reference of Eberler does not overcome the deficiencies of the Fujita reference in that it does not teach, suggest or disclose Applicants' recited RF coil assembly as claimed in the recitations "said conductors of a selected conductor length and having a conductor width and spacing between conductors" of amended independent claim 1. Applicants respectfully submit that no reasonable combination of Fujita and Eberler references, taken alone or in combination, would obtain Applicants' recited invention in amended independent claim 1.

Accordingly, Applicants respectfully submit that the Office Action did not make a *prima facie* case of obviousness for the independent claim 1, and that claim 1 defines allowable subject matter over the applied art. Claim 9 depends directly from claim 1, and is similarly patentably distinct from the applied references for the reasons discussed above and is allowable over the applied references.

In view of the foregoing remarks, Applicants respectfully request withdrawal of the rejections under 35 USC §102(e) and 35 USC §103(a).

New Claims

Applicants have added new claims 18-21. New claim 18 recites features from original claim 1 and 2. As the subject matter of claim 2 was indicated as allowable, new claim 18 is believed allowable, as are new claims 19-21 depending therefrom.

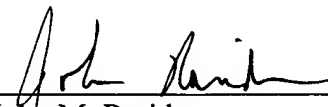
Conclusion

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a

telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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